

# The Gazette of India



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## NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 7th January, 1961 :—

Issue No.	No. and date	Issued by	Subject
3.	G.S.R. 34, dated 7th January, 1961.	Ministry of Food and Agriculture.	Fixation of additional 50,000 tons of sugar which may be further exported.
4.	G.S.R. 35, dated 7th January, 1961.	Do.	The Inter-Zonal Wheat Movement Control (Second Amendment) Order, 1961.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

## PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

### MINISTRY OF HOME AFFAIRS

New Delhi, the 21st January 1961

**G.S.R. 76.**—Whereas the Central Government is satisfied that by the law or practice of Hungary, the notarial acts done by notaries within India are recognised for all purposes in the country;

Now, therefore, in exercise of the powers conferred by section 14 of the Notaries Act, 1952 (53 of 1952), the Central Government hereby declare that the notarial acts lawfully done by notaries within Hungary shall be recognised within India for all purposes on and from the 31st January, 1961.

[No. F.25/1/59-Notts.]

L. M. NADKARNI, Jt. Secy.

*New Delhi, the 9th January 1961*

**G.S.R. 77.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the post of Junior Artist (Office of the Commissioner for Scheduled Castes and Scheduled Tribes), namely:—

**1. Short title.**—These rules may be called the Junior Artist (Office of the Commissioner for Scheduled Castes and Scheduled Tribes) Recruitment Rules, 1961.

**2. Application.**—These rules shall apply to the post of Junior Artist in the Office of the Commissioner for Scheduled Castes and Scheduled Tribes.

**3. Classification, scale of pay, method of recruitment, age limit, etc.**—The classification of the said post, the scale of pay attached thereto, the method of recruitment, age limits, qualifications and other matters relating to the said post shall be as specified in columns 3 to 9 of the Schedule annexed to these rules:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes and Scheduled Tribes and other special categories in accordance with the general orders issued from time to time by the Government of India.

**4. Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the said post; and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage; or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said post:

Provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

## SCHEDULE

Name of post	No. of posts	Classification whether gazetted or non-gazetted and whether Ministerial or Non-ministerial	Scale of pay	Method of recruitment	Age limit (for direct recruitment)	Educational and other qualifications (for direct recruitment)	Period of probation if any	Whether age and educational qualifications prescribed for direct recruitment will apply in case of appointment by deputation/transfer	
1	2	3	4	5	6	7	8	9	
Junior Artist .	One	Class III (subject to Non-revision gazetted from time Non-to time.) ministerial	Rs. 250—10—290—15—380.	Direct—by selection or by deputation/transfer of persons with requisite qualifications working in the Government of India offices.	Must have completed 18 years but must not have completed 25 years.	Essential : (i) Matriculation or equivalent. have completed 25 years. (ii) Knowledge and experience of lay out and drawing of charts, graphs, maps book covers etc.  Desirable : (i) 5 years experience of having worked as an Artist in any Government Department or any commercial undertaking or firm of repute. (ii) Knowledge of photography, cutting and pasting of screen type matters.	Two years for direct recruits.	Age Educational qualifications.	No Yes

[No. 2/24/60-SCT. IV.]

M. P. RODRIGUES, Under Secy.

*New Delhi, the 10th January 1961*

**G.S.R. 78.**—In pursuance of sub-rule (1), and the first proviso to sub-rule (2), of rule 4 of the I.A.S. (Cadre) Rules, 1954, the Central Government, in consultation with the Government of Punjab, hereby make the following further amendments in the I.A.S. (Fixation of Cadre Strength) Regulations, 1955.

*Amendments*

In the Schedule to the said Regulations, for the entries relating to 'PUNJAB' the following shall be substituted, namely:—

1.	Senior posts under State Government	81
	Financial Commissioners ..	2
	Chief Secretary to Government ..	1
	Planning and Development Commissioner ..	1
	Commissioners of Divisions ..	3
	Secretaries to Government ..	11
	Principal Secretary to the Chief Minister ..	1
	Secretary to Governor ..	1
	Deputy Secretaries to Government ..	20
	Registrar, Co-operative Societies ..	1
	Deputy Commissioners ..	19
	Excise & Taxation Commissioner ..	1
	Director of Industries ..	1
	State Transport Controller ..	1
	Director, Panchayats ..	1
	Colonization Officer ..	1
	Director of Consolidation of Holdings ..	1
	Joint Secretary to Government, Finance Department ..	1
	Director General, Small Savings ..	1
	Agrarian Reforms Officer-cum-Additional Secretary to Government, Revenue Department ..	1
	Joint Director of Industries ..	1
	Estate Officer ..	1
	Inquiry Officer, Vigilance Department ..	1
	Special Collector, Financial Commissioner's Office ..	1
	Principal, Revenue Training School ..	1
	Settlement Officer ..	1
	Inspector General of Prisons ..	1
	Milk Commissioner ..	1
	Cane Commissioner ..	1
	Additional Director, Industries ..	1
	Executive Head for Town & Country Planning Organisation ..	1
	Land Acquisition & State Management Officer for Town and Country Planning Organisation ..	1
		61
2.	Senior posts under Central Government ..	32
		113
3.	Posts to be filled by promotion and selection in accordance with rule 8 of the I.A.S. (Recruitment) Rules, 1954 ..	28
4.	Posts to be filled by direct recruitment ..	85
5.	Deputation Reserve @ 15 per cent of 4 above ..	13
6.	Leave Reserve @ 11 per cent of 4 above ..	9
7.	Junior Posts @ 20.60 per cent of 4 above ..	18
8.	Training Reserve @ 10.59 per cent of 4 above ..	9
	Direct Recruitment Posts ..	134
	Promotion Posts ..	28
	<b>TOTAL AUTHORISED STRENGTH</b>	<b>162</b>

New Delhi, the 13th January 1961

**G.S.R. 79.**—In pursuance of rule 11 of the Indian Administrative Service (Pay) Rules, 1954, the Central Government hereby makes the following amendment in Schedule III appended to the said rules.

*Amendment*

In the said Schedule III, under the heading “C-Posts carrying pay above the time-scale or special pay in addition to pay in the time-scale under the Central Government when held by members of the Service”, the following entries in the second, third and fourth columns, against “Food and Agriculture” in the first column, shall be deleted, namely:—

“Regional Director (Food) ..... Senior scale ..... 250”.

[No. 1/125/60-AIS(II).]

T. R. RAGHURAMAN, Under Secy.

New Delhi, the 11th January 1961

**G.S.R. 80.**—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Himachal Pradesh the Punjab Cooperative Land Mortgage Banks Act, 1957 (Punjab Act No. 26 of 1957), as at present in force in the State of Punjab, subject to the following modifications, namely:—

**MODIFICATIONS**

*A. General.*

1. Whenever an expression mentioned in column 1 of the Table below occurs in the Act except in the long title, enacting formula and sub-section (1) of section 1, then, unless that expression is by this notification directed to be otherwise modified, or to stand unmodified, or to be omitted, there shall be substituted therefor the expression set opposite to it in column 2 of the said Table, and there shall also be made in any sentence in which that expression occurs such consequential amendments as the rules of grammar may require.

TABLE

1	2
State Government	Lieutenant Governor
Official Gazette	Himachal Pradesh Gazette
State of Punjab	Union territory of Himachal Pradesh
Punjab Cooperative Societies Act, 1954	Himachal Pradesh Cooperative Societies Act, 1956.

*B. Special*

2. In sub-section (3) of section 1, after the word ‘Notification’ the words ‘in the Himachal Pradesh Gazette’ shall be inserted.

3. In section 2,—

(i) in clause (c), for the words “clause (1) of section 4 of the Punjab Tenancy Act, 1887 (No. XVI of 1887)” the words “clause (5) of section 2 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (No. 15 of 1954)” shall be substituted;

(ii) after clause (c), the following clause shall be added, namely:

“(cc) ‘Lieutenant Governor’ means the Lieutenant Governor of Himachal Pradesh”.

(iii) for clause (h), the following clause shall be substituted, namely:

“(h) ‘the State Bank’ means ‘the Himachal Pradesh Central Cooperative Land Mortgage Bank, Limited’, to be established for the purposes of this Act;”

4. In section 10, for the words “State Government”, the words “Central Government” shall be substituted.

5. In section 29, after the words "Land Improvement Loans Act, 1883", the words "or any other law for the time being in force in the Union territory of Himachal Pradesh" shall be inserted.

#### ANNEXURE

The Punjab Cooperative Land Mortgage Banks Act, 1957 as extended to the Union territory of Himachal Pradesh.

### THE PUNJAB COOPERATIVE LAND MORTGAGE BANKS ACT, 1957

#### PUNJAB ACT NO. 26 OF 1957

*An Act to supplement the provisions of the Punjab Co-operative Societies Act, 1954, in order to facilitate the working of Cooperative land mortgage banks in the State of Punjab with a view to providing for the grant of long-term loans to owners of land or other immovable property, to enable them to discharge their debts, to carry out agricultural improvements, to acquire land for the formation of economic holdings and other like purposes and thereby to promote thrift and self-help among them.*

Be it enacted by the Legislature of the State of Punjab in the Eighth Year of the Republic of India as follows:—

#### CHAPTER I

##### Preliminary

1. **Short title, extent and commencement.**—(1) This Act may be called the Punjab Co-operative Land Mortgage Banks Act, 1957.

(2) It extends to the whole of the Union territory of Himachal Pradesh.

(3) It shall come into force on such date as the Lieutenant Governor may by notification in the Himachal Pradesh Gazette appoint.

2. **Definitions.**—In this Act, unless the context otherwise requires:

(a) "Board" means the board of Directors of the State Bank;

(b) "Committee" means, in relation to a Primary Land Mortgage Bank, the governing body of the Bank to whom the management of its affairs is entrusted;

(c) "Land" shall have the meaning assigned to it in clause (5) of section 2 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act 1953 (No. 15 of 1954);

(cc) "Lieutenant Governor" means the Lieutenant Governor of Himachal Pradesh;

(d) "Mortgage Bank" means a Primary Land Mortgage Bank or State Bank registered or deemed to be registered under the Himachal Pradesh Cooperative Societies Act, 1956;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "Primary Land Mortgage Bank" means a Co-operative Land Mortgage Bank registered or deemed to be registered under the Himachal Pradesh Cooperative Societies Act, 1956 and affiliated as a member to the State Bank;

(g) "Registrar" means the person appointed by the Lieutenant Governor to be Registrar of Co-operative Societies for the Union territory of Himachal Pradesh or any person appointed by the Lieutenant Governor to assist the Registrar under section 3 of the Himachal Pradesh Cooperative Societies Act, 1956;

(h) "the State Bank" means the Himachal Pradesh Central Co-operative Land Mortgage Bank Limited to be established for the purposes of this Act;

(i) "Trustee" means the trustee referred to in section 3.

#### CHAPTER II.

##### Trustee

3. **Appointment of Trustee.**—The Registrar shall be the Trustee for the purposes of securing the fulfilment of the obligations of the State Bank to the holders of debentures issued by the State Bank.

**4. Vesting of Property in Trustee.**—The mortgages and other assets transferred by the Primary Land Mortgage Banks to the State Bank shall vest in the Trustee from the date of such transfer.

**5. Debenture-holders to have first charge on mortgages etc.**—The holders of the debentures shall have a first charge on all such mortgages and assets, on the amount paid under such mortgages and remaining in the hands of the State Bank or of the Trustee, and on the other properties of the State Bank.

**6. Powers and functions of the Trustee.**—The powers and functions of the Trustee shall be governed by the instrument of trust executed between the State Bank and the Trustee, as modified from time to time by mutual agreement between the State Bank and the Trustee.

### CHAPTER III

#### *Debentures*

**7. Issue of debentures by the Board.**—With the previous sanction of the Trustee, the State Bank may issue debentures of one or more denominations for such periods as it may deem expedient on the security of the mortgage and other assets transferred or deemed under the provisions of section 25 to have been transferred by the Primary Land Mortgage Banks to the State Bank or on the security of all or any of the assets and properties of the State Bank.

**8. Redeemable period of debentures.**—Such debentures may contain a term fixing a period not exceeding ten years from the date of issue during which they shall be irredeemable, or reserving to the Board the right to call in at any time any of the debentures in advance of the date fixed for redemption, after giving to the debenture-holder concerned, not less than three months' notice, in writing.

**9. Maximum limit of debentures.**—The total amount due on the debentures issued by the Board and outstanding at any time shall not exceed the aggregate of the amounts due on the mortgages, the value of the other assets, transferred or deemed under the provisions of section 25 to have been transferred by the Primary Land Mortgage Banks to the State Bank and subsisting at such time and the amounts paid under the mortgages aforesaid and remaining in the hands of the Board or of the Trustee at that time.

**10. Guarantee by Central Government of principal and interest debentures issued under section 7.**—The principal of, and interest on, the debentures issued under section 7 shall carry the guarantee of the Central Government subject to such conditions as it may deem fit to impose.

**11. Power of Board to make regulations.**—The Board may, subject to the approval of the Trustee and of the Lieutenant Governor make regulations, not inconsistent with the provisions of this Chapter:—

- (i) for fixing the period of debentures and rate of interest payable thereon;
- (ii) for calling in debentures after giving notice to debenture-holders;
- (iii) for the issue of new debentures in place of debentures damaged or destroyed;
- (iv) for converting one class of debentures into another bearing a different rate of interest; and
- (v) generally for carrying out the provisions of this Chapter.

### CHAPTER IV

#### *Distraint and sale of produce*

**12. Distraint when to be made.**—(1) If two consecutive instalments payable under a mortgage executed in favour of, or transferred or deemed under section 25 to be transferred to, the State Bank or any part of such instalments has remained unpaid for more than three months from the date on which it fell due, the Board may in addition to any other remedy available to the said Bank, apply to the Registrar for the recovery of such instalments or part by distraint and sale of the produce of the mortgaged land including the standing crops thereon provided that such crops belong to the mortgagor or mortgagors, as the case may be.

(2) On receipt of such application, the Registrar may notwithstanding anything contained in the transfer of Property Act, 1882 or any other law for the time being in force, take such action as is necessary to distrain and sell such produce;

Provided that no distress shall be made after the expiry of twelve months from the date on which the instalment fell due.

(3) The distress shall not be excessive, the value of the property distrained shall be, as nearly as possible, equal to the amount due and the expenses of the distress and the cost of the sale.

Any mistake, defect or irregularity in this respect shall not invalidate a distress or sale made under this Act.

**13. Distress how to be effected.**—(1) Before or at the time when a distress is made under section 12, the distrainer shall serve or cause to be served upon the defaulter a written demand specifying the amount for which the distress is made.

(2) The demand shall be dated and signed by the distrainer and shall be served upon the defaulter by delivering a copy to him or to some adult male member of his family at his usual place of abode or to his authorised agent, or when such service cannot be effected, by affixing a copy of the demand on some conspicuous part of his abode and of his land.

**14. Sale of property distrained.**—(1) If, within fifteen days from the date of service of the demand referred to in section 13, the defaulter does not pay the amount for which the distress was effected, the distrainer may sell in auction the distrained property or such part thereof as may in his opinion be necessary to satisfy the demand together with the expenses of the distress and the costs of the sale.

(2) From the proceeds of such sale, a deduction shall be made at a rate not exceeding one anna in the rupee on account of the costs of the sale.

(3) From the balance shall be deducted the expenses incurred by the distrainer on account of the distress.

(4) The remainder, if any, shall be applied to the discharge of the amount for which distress was made.

(5) The surplus, if any, shall be delivered to the person whose property has been sold and he shall be given a receipt for the amount discharged from the proceeds of the sale.

## CHAPTER V

### *Sale of Mortgaged Property*

**15. Power of sale when to be exercised.**—(1) Notwithstanding anything contained in the Transfer of Property Act, 1882, or any other law for the time being in force where a power of sale without the intervention of the Court is expressly conferred on the State Bank by the mortgage deed, the Board or any person authorised by such Board in this behalf shall, in case of default of payment of the mortgage money or any part thereof, have power, in addition to any other remedy available to the State Bank to bring the mortgaged property to sale without the intervention of the Court.

(2) No such power shall be exercised unless and until—

(a) the Board have previously authorised the exercise of the power conferred by sub-section (1), after hearing and deciding the objections, if any, of the mortgagor or any other person having any interest in the mortgaged property;

(b) notice in writing requiring payment of such mortgage money or part has been served upon—

(i) the mortgagor or each of the mortgagors;

(ii) any person who has any interest in or charge upon the property mortgaged or in or upon the right to redeem the same;

(iii) any surety for the payment of the mortgage debt or any part thereof; and

(iv) any creditor of the mortgagor who has in a suit for the administration of his estate obtained a decree for sale of the mortgaged property;

(c) default has been made in payment of such mortgage money or part for six months after such service; and

(d) the Registrar, in case where the amount claimed by the State Bank is disputed, has certified that the amount claimed or lesser amount is due from the mortgagor.

**16. Application for sale and manner of sale.**—(1) In exercise of the power of sale conferred by section 15, the Board or any person duly authorised by the Board, may apply to the sale officer appointed in that behalf under section 24 to sell the mortgaged property or any part thereof and such officer shall after giving notice in writing to all the persons referred to in section 15, sell such property in the manner prescribed subject to any previous charge on the basis of a registered deed.

(2) The sale shall be by public auction and shall be held in the village where the mortgaged property is situated or at the nearest place of public resort if the sale officer is of opinion that the property is likely to sell to better advantage there.

(3) The Registrar may set aside a sale on the application of the mortgagor or any other person interested in the mortgaged property, presented to him within 30 days of the sale, if in his opinion there has been an illegality or material irregularity in conducting the sale.

(4) On the sale being set aside by the Registrar under sub-clause (3), a fresh sale shall be conducted in accordance with the provisions of this Chapter.

**17. Application to set aside sale on deposit and confirmation of sale in default or on dismissal of such application.**—(1) When a mortgaged property has been sold under this chapter, the mortgagor or any person having a right or interest therein affected by the sale, may, at any time within thirty days from the date of sale, apply to the Board to have the sale set aside on his depositing at the office of the State Bank—

- (a) for payment to the said Bank the amount specified in the proclamation of sale together with subsequent interest and the cost, if any, incurred by the Bank in bringing the property to sale, and
- (b) for payment to the purchaser, a sum equal to two per cent of the purchase money.

(2) If such deposit is made, the Board shall make an order setting aside the sale.

(3) Where no application is made under sub-clause (1) or where such application is made and disallowed, the Board shall apply to the Registrar to make an order confirming the sale and on such officer confirming the sale, it shall become absolute.

**18. Distribution of the proceeds of sale.**—(1) The proceeds of every sale under this Chapter shall be applied by the sale officer, first in payment of all costs, charges and expenses properly incurred by him as incident to the sale or any attempted sale determined in the prescribed manner; secondly in payment of all interest due on account of the mortgage in consequence whereof the mortgaged property was sold; thirdly in payment of the principal amount due on account of the mortgage; and lastly, the residue, if any, shall be paid to the person proving himself interested in the property sold or, if there are more such persons than one, then to such persons according to their respective interests therein or upon their joint receipt.

(2) (a) Any person dissatisfied with the decision of the sale officer in regard to the distribution of such residue may, within thirty days of the communication to him of such decision institute a suit in a court to establish the right he claims.

(b) The sale officer shall not distribute such residue until thirty days have elapsed from communication of his decision to all the persons concerned or, if a suit has been instituted within the said period of thirty days by any such person, until the suit is disposed of or otherwise than in accordance with the decision of the court therein.

**Explanation**—In this subsection Court means the Civil court which would have jurisdiction to entertain a suit to enforce the mortgage and within the limits of whose jurisdiction the property sold is situated.

**19. Certificate to purchaser.**—Where a sale of mortgaged property has become absolute the sale officer shall grant a certificate specifying the property sold and

the name of the person who at the time of the sale is declared to be purchaser. Such certificate shall bear date, the day on which the sale became absolute.

**20. Delivery of property to purchaser.**—(1) Where the mortgaged property sold is in the occupation of the mortgagor or of some person on his behalf or of some person claiming under a title other than a lease for a period not exceeding five years created by the mortgagor subsequent to the mortgage in favour of the State Bank and a certificate in respect thereof has been granted under section 19, the Court shall, on the application of the purchaser, order delivery to be made by putting such purchaser, or any person, whom he may appoint to receive delivery on his behalf, in possession of the property.

(2) Where the property sold is in the occupation of a tenant or other person entitled to occupy the same and certificate in respect thereof has been granted under section 19, the Court shall, on the application of the purchaser, and after notice to such tenant or other person, order delivery to be made by affixing a copy of the certificate of sale in some conspicuous place on the property and proclaiming to the occupant by beat of drum or other customary mode at some convenient place that the interest of the mortgagor has been transferred to the purchaser.

(3) In regard to the cases dealt with in sub-sections (1) and (2) the provisions of rules 97 to 103 of Order XXI of the first Schedule to the Code of Civil Procedure 1908, shall *mutatis mutandis* and so far as may be, apply.

**Explanation.**—In this section, Court shall have the same meaning as in section 18.

**21. Right of the mortgage Bank to purchase the mortgaged property at sale.**—Notwithstanding anything contained in any law for the time being in force, including a law imposing a ceiling on agricultural holdings, it shall be lawful for the mortgage Bank to purchase any mortgaged property sold under this Chapter, and the property so purchased shall be disposed of by such Bank by sale within such period as may be fixed by the Trustee.

**22. Appointment of receiver and his powers.**—(1) The Board may, on its own motion, or in the case of mortgages executed in favour of the Primary Land Mortgage Bank, on the application of such Banks and under circumstances in which the power of sale conferred by section 15 may be exercised, appoint in writing a receiver of the produce and income of the mortgaged property or any part thereof and such receiver shall be entitled either to take possession of the property or collect its produce and income as the case may be, to retain out of any money realised by him his expenses of management including his remuneration, if any, as fixed by the Board, and to apply the balance in accordance with the provisions of sub-section (8) of section 69-A of the Transfer of Property Act, 1882.

(2) A receiver appointed under sub-section (1) may, for sufficient cause and on application made by the mortgagor, be removed by the Board.

(3) A vacancy in the office of the receiver may be filled up by the Board.

(4) Nothing in this section shall empower the Board to appoint receiver where the mortgaged property is already in the possession of a receiver appointed by a Civil Court.

**23. Title of purchaser not to be impeached on the ground of irregularity, etc.**—When a sale purported to have been made in the power of sale given by section 15 has been confirmed under sub-section (3) of section 17, the title of the purchaser shall not be impeachable on the ground that no case had arisen to authorise the sale or that due notice was not given or that the power was otherwise improperly or irregularly exercised but any person damaged by an unauthorised or improper or irregular exercise of the power shall have his remedy in damages against the Mortgage Bank.

**24. Appointment of sale officers.**—The Lieutenant Governor may appoint a sale officer not below the rank of a gazetted officer for the purpose of conducting sale under this Chapter.

## CHAPTER VI

### Miscellaneous

**25. Mortgages executed in favour and other assets of Primary Land Mortgage Bank to stand transferred to State Bank.**—The mortgages executed in favour of,

and all other assets transferred to, Primary Land Mortgage Bank by the members thereof shall, with effect from the date of such execution or transfer, be deemed to have been transferred by such Primary Land Mortgage Bank to the State Bank.

**26. Power of Board or of Trustee to direct, distress and sale of produce and the sale of the mortgaged property, etc.—**(1) The Board or Trustee may direct the Committee of a Primary Land Mortgage Bank to take action against a defaulter under section 12, or section 15 and if the Committee neglects or fails to do so the Board or the Trustee may take such action.

(2) (a) Where such action is taken by the Board, the provisions of this Act and of any rules or regulations made thereunder shall apply in respect thereto as if all references to the Primary Land Mortgage Bank and to its Committee in the said provisions were references to the State Bank and the Board respectively.

(b) Where such action is taken by the Trustee, the provisions of this Act and of any rules or regulations made thereunder shall apply in respect thereto as if all references to the Primary Land Mortgage Bank or to its Committee in the said provisions were references to the Trustee.

**27. Mortgagor's power to lease.—**Notwithstanding anything contained in the Transfer of Property Act, or any other law for the time being in force, the duration of any lease, executed, by a mortgagor, of property mortgaged to a Primary Land Mortgage Bank or the State Bank after the execution of the mortgage shall in no case exceed five years.

**28. Mortgage not to be questioned on insolvency of mortgagor.—**Notwithstanding anything contained in the Provincial Insolvency Act, 1920, a mortgage executed in favour of a Mortgage Bank shall not be called in question on the ground that it was not executed in good faith for valuable consideration or on the ground that it was executed in order to give the Mortgage Bank a preference over the other creditors of the mortgagor.

**29. Priority of mortgage over claims arising under the Land Improvement Loans Act, 1883.—**A mortgage executed in favour of a Mortgage Bank after the commencement of this Act shall have priority over any claim of the Government arising from a loan under the Land Improvement Loans Act, 1883 or any other law for the time being in force in the Union territory of Himachal Pradesh, granted after the execution of the mortgage.

**30. Right of Mortgage Bank to pay prior debts of mortgagor.—**Where a mortgage is executed in favour of a Mortgage Bank for payment of prior debts of the mortgagor, the Bank may, notwithstanding the provisions of sections 83 and 84 of the Transfer of Property Act, 1882, by notice in writing require any person to whom any such debt is due to receive payment of such debt or part thereof from the Bank (at its registered office) within such period as may be specified in the notice. If any such person fails to receive such notice or such payment, such debt or part thereof, as the case may be, shall cease to carry interest from the expiration of the period specified in the notice:

Provided that where there is a dispute as regards the amount of any such debt, the person to whom such debt is due shall be bound to receive payment of the amount offered by the Mortgage Bank towards the debt, but such receipt shall not prejudice the right, if any, of such person, to recover the balance claimed by him.

**31. Power to summon witnesses and requisition documents.—**(1) Subject to such restrictions, limitations and conditions as may be prescribed, the Registrar and persons subordinate to the Registrar who are authorised by him in this behalf by general or special order in writing, or officers of Cooperative Banks which are registered or deemed to be registered under the Himachal Pradesh Cooperative Societies Act, 1956, as the Lieutenant Governor may, by notification in the Himachal Pradesh Gazette, authorise in this behalf, shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (V of 1908), when trying a suit in respect of the following matters, namely:—

- (a) enforcing the attendance of any person and examining him on oath or affirmation;
- (b) compelling the production of documents; and
- (c) issuing commissions for the examination of witnesses.

(2) Any of the officers or persons authorised by or under sub-section (1) may require any person present before him to furnish any information or to produce any document then and there in his possession or power.

(3) Any officer or person before whom any document is produced under sub-section (1) or sub-section (2) shall have power to take, or to authorise the taking of, such copies of the document or of any entries therein as such officer or person may consider necessary. Copies so taken shall, when certified in such manner as may be prescribed, be admissible in evidence for any purpose in the same manner and to the same extent as the original document or the entries therein, as the case may be.

(4) (a) Any person who wilfully or without reasonable excuse disobeys any summons, requisition or order issued under sub-section (1) or sub-section (2) shall be punishable with fine which may extend to fifty rupees, and in the case of a continuing disobedience with an additional fine which may extend to five rupees for every day during which such disobedience continues after conviction for the last such disobedience.

(b) No court inferior to that of a Magistrate, First Class, shall try any offence under clause (a).

(c) Every offence under clause (a) shall, for the purposes of the Code of Criminal Procedure (V of 1898), be deemed to be non-cognizable.

(d) No prosecution shall be instituted under clause (a) without the previous sanction of the Registrar, who will accord such sanction only after giving the party concerned an opportunity to be heard.

**32. Registration of documents executed on behalf of a Mortgage Bank.**—(1) Notwithstanding anything contained in the Indian Registration Act, 1908, it shall not be necessary for any Director, Secretary or other officer of a Mortgage Bank to appear in person or by agent at any registration office in any proceeding in connection with the registration of any instrument executed by him in his official capacity or to sign as provided in section 58 of that Act.

(2) Where any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he thinks fit, refer to such Directors, Secretary or officer for information respecting the same, and on being satisfied of the execution thereof, shall register the instrument.

**33. Power of a Primary Land Mortgage Bank to receive moneys and grant valid discharges notwithstanding assignment of mortgage deeds to the State Bank.**—Notwithstanding that a mortgage in favour of a Primary Land Mortgage Bank has been transferred, or is deemed under the provisions of section 25 to have been transferred, to the State Bank:—

(a) All moneys due under the mortgage shall, in the absence of any specific direction to the contrary issued by the Board or Trustee and communicated to the mortgagor be payable to the Primary Land Mortgage Bank and such payment shall be as valid as if the mortgage had not been so transferred; and

(b) the Primary Land Mortgage Bank shall, in the absence of any specific direction to the contrary issued by the Board of Trustee and communicated to such Bank be entitled to sue on the mortgage or take any other proceeding for the recovery of the moneys due under the mortgage. . .

**34. Special provisions for mortgages executed by Managers of Joint Hindu Family.**—Where a mortgage executed in favour of a Mortgage Bank is called in question on the ground that it was executed by a person governed by custom and the manager of a joint Hindu family for a purpose not binding on the reversioners and the members thereof, whether major or minor, the burden of proving the same shall, notwithstanding any law to the contrary, be on the party raising it.

**35. Proof of documents or entries in documents.**—Any Primary Land Mortgage Bank or the State Bank may grant copies of any document obtained and kept by it in the course of its business or of any entries in such documents; and any copy so granted shall, when certified in such manner as may be prescribed, be admissible in evidence for any purpose in the same manner and to the same extent as the original document, or the entries therein, as the case may be.

**36. Service of notice under the Act.**—Whenever under the provisions of this Act notice is required to be given to any person in writing, it shall be sufficient to send such notice by registered post.

**37. Officers of Land Mortgage Banks and Sale Officers not to be bid at sale.**—At any sale of movable or immovable property held under the provisions of this Act in order to recover any money due to a Mortgage Bank, no Director, Secretary or other officer of such Bank (except on behalf of the Bank of which he is Director or Secretary or Officer) and no sale officer or other person having any duty to perform in connection with such sale, shall, either directly or indirectly, bid for or acquire or attempt to acquire any interest in such property.

**38. Delegation of certain powers by Board.**—The Board may, if it thinks fit, delegate all or any of its powers under sections 12, 15, 22 and 26 to an executive committee constituted by it and consisting of two or more of its members.

**39. Power of Government to make rules.**—(1) The Lieutenant Governor may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for:—

- (i) the manner of effecting distress;
- (ii) the custody, preservation and the sale of distressed property;
- (iii) the investigation of claims by persons other than the defaulters, to any right or interest in the distressed property; and the postponement of the sale pending such investigation;
- (iv) immediate sale of perishable articles;
- (v) the due proclamation and the conduct of same;
- (vi) the recovery of the expenses of the proclamation sale;
- (vii) the deposit of the purchase money;
- (viii) the resale of the property, if the purchase money is not deposited.

**40. Power of Board to make regulations.**—Notwithstanding anything contained in the Himachal Pradesh Cooperative Societies Act, 1956, or the rules made thereunder, the Board shall have a general power of supervision over the Primary Land Mortgage Banks, and may make regulations not inconsistent with this Act or the rules made thereunder:—

- (a) for the inspection of the account books and proceedings of Primary Land Mortgage Banks;
- (b) for the submission of returns and reports by Primary Land Mortgage Banks in respect of their transactions;
- (c) for the periodical settlement of accounts between Primary Land Mortgage Banks and the State Bank and for the payment of the amounts recovered by Primary Land Mortgage Banks on mortgages transferred to the State Bank;
- (d) prescribing the form in which applications to Primary Land Mortgage Banks for loans should be made and for the valuation of the properties offered as security for such loans;
- (e) for the investment of monies realised from the mortgagors; and
- (f) generally for the purpose of safeguarding the interests of the parties concerned and for carrying out the purposes of this Act.

**41. Primary Land Mortgage Banks.**—The provisions of sections 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 31, 34, 35, 36 and 37 shall apply *mutatis mutandis* to all Primary Land Mortgage Banks established for the purposes of this Act.

[No. F. 4/10/60 Judl.II UTL. 30.]

K. R. PRABHU, Dy. Secy.

New Delhi, the 13th January 1961

**G.S.R. 81.**—In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951, (61 of 1951), the Central Government, after consultation with the Government of the States concerned, hereby makes the following amendments in the All India Services (Death-cum-Retirement Benefits) Rules, 1958, namely:—

1. These rules may be called the All India Services (Death-cum-Retirement Benefits) Amendment Rules, 1961.

2. In the All India Services (Death-cum-Retirement Benefits) Rules, 1958, in clause (b) of sub-rule (2) of rule 1,

(1) for sub-clause (1), the following Sub-clause shall be substituted, namely:—

“(i) (a) those, who became members of the Service in accordance with clauses (a) and (b) of sub-rule (1) of rule 3 of the Indian Administrative Service (Recruitment) Rules, 1954;

(b) such of those, who, being members of the Service in accordance with clause (c) of sub-rule (1) of rule 3 of the Indian Administrative Service (Recruitment) Rules, 1954, do not opt for these rules within a period of three months from the 13th January, 1961; and

(c) such of those, who being members of the Service in accordance with clause (a) of sub-rule (1) of rule 3 of the Indian Police Service (Recruitment) Rules, 1954, did not opt for the Liberalized Pension Rules, as applicable to officers of the Central Service, Class I;”

(2) for sub-clause (ii), the following Sub-clause shall be substituted, namely:—

“(ii) (a) those members of the Service who would have been confirmed prior to the 21st October, 1946, in the Indian Police but for the ban on such confirmation, and who did not opt for these rules before the 2nd December, 1959; and

(b) those members of the Service who would have been confirmed prior to the 21st October, 1946, in the listed posts in the Indian Civil Service but for the ban on such confirmation, and who do not opt for these rules within three months from the 13th January, 1961.”

[No. 29/9/60-AIS(II).]

B. N. TANDON, Dy. Secy.

## ORDER

New Delhi, the 12th January 1961

**G.S.R. 82.**—In pursuance of clause (22) of Article 366 of the Constitution of India, the President is hereby pleased to recognise Her Highness Mehr Taj Sajida Sultan Begum, as the Ruler of Bhopal with effect from the 4th February, 1960, in succession to His late Highness Nawab Muhammad Hamidulla Khan.

[No. F 5/1/60-Poll. III.]

V. VISWANATHAN, Secy.

## MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 9th January 1961

**G.S.R. 83.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendments in the Fundamental Rules namely:—

1. These rules may be called the Fundamental (Amendment) Rules, 1960.

2. In Rule 54 of the Fundamental Rules, in clauses (1) and (2), after the word “removed”, the words “Compulsorily retired” shall be inserted

[No. F. 5(15)-E.IV/A/60(I).]

**G.S.R. 84.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendments in the Fundamental Rules, namely:—

1. These rules may be called the Fundamental (Amendment) Rules, 1960.

2. In the Fundamental Rules—

(1) in the proviso to sub-clause (ii) of clause (b) of Rule 81, the word “Aden” shall be omitted;

(2) in Note 1 below Rule 90, the word "Aden" shall be omitted.

[No. F. 7(126)-Est.IV/A/60.]

New Delhi, the 10th January 1961

**G.S.R. 85.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following Regulations to amend the Civil Service Regulations, namely:—

1. These Regulations may be called the Civil Service (First Amendment) Regulations, 1961.

2. In the Civil Service Regulations, after the first sentence in clause (b) of Article 234, the following sentence shall be inserted, namely:—

"An officer retained in service after his fifty-fifth birthday shall earn privilege leave under Article 246 subject to the restriction that the total leave that may be granted to him after the completion of 55 years of age shall not exceed six months.

[No. F. 7(205)-Est.IV/A/60.]

RABI RAY, Dy. Secy.

**(Communications Division)**

New Delhi, the 9th January 1961

**G.S.R. 86.**—In exercise of the powers conferred by section 12 of the Government Savings Certificates Act, 1959 (46 of 1959), the Central Government hereby makes the following amendments to the Post Office Savings Certificates Rules, 1960, namely:—

1. These rules may be called the Post Office Savings Certificates (Second Amendment) Rules, 1960.

2. In the Post Office Savings Certificates Rules, 1960, in clause (vi) of sub-rule (2) (a) of rule 4, the words, figures and brackets 'the donations to which are exempt from the payment of income-tax under the Income-tax Act, 1922 (11 of 1922)' shall be omitted.

3. In the table below rule 6 of the said Rules, in column II of item (ii), for the existing entry the following shall be substituted, namely:—

"Its members, clients, employees or contractors, whose monies are held as deposit or otherwise with such society or bank."

4. In rule 11 of the said Rules,—(a) in sub-rule (2), after clause (ii) the following shall be inserted as clause (iii), namely:—

"(iii) To purchase a fresh gift coupon in favour of another person by surrendering the old one at the time of making an application for purchase of the fresh gift coupon."

(b) in sub-rule (6), after the words "refund of the face value thereof", the words "or to purchase a fresh gift coupon in favour of another person by surrendering the old one at the time of making an application for purchase of the fresh gift coupon" shall be inserted.

5. After rule 11 of the said Rules, the following shall be inserted, namely:—

"11-A. Legal tender for the purchase of a gift.—(1) Payment for the purchase of a gift coupon may be made to a post office by any of the following methods—

(i) Cash (ii) Surrender of Savings Stamps (iii) a cheque, pay order or demand draft, (iv) presentation of duly signed withdrawal form together with the pass book for withdrawal from the Post Office Savings Bank account and (v) Surrender of a gift coupon for purchase of a fresh one in favour of another person.

(2) on payment being made under sub-rule (1), a gift coupon shall normally be issued immediately. If for any reason, a gift coupon cannot be issued immediately, a provisional receipt shall be given to the

purchaser which may later be exchanged for a gift coupon and in such a case the date of the coupon shall be the date of the provisional receipt."

[No. 9490-PTI/60.]

R. K. AGRAWAL, Dy. Secy.

**(Department of Revenue)**

*New Delhi, the 21st January 1961*

**DANGEROUS DRUGS**

**G.S.R. 87.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Dangerous Drugs Act, 1930 (2 of 1930), the Central Government hereby makes the following rules to further amend the Central Opium Rules, 1934, the same having been previously published as required by sub-section (1) of section 36 of the said Act, namely:—

- 1. These rules may be called the Central Opium (Amendment) Rules, 1961.
- 2. In the Central Opium Rules, 1934—
  - (i) in rule 2, in clause (b), after the words "Tehri-Garhwal", the words "and in the Union Territory of Himachal Pradesh in the districts of Mahasu and Sirmur" shall be inserted;
  - (ii) in rule 4, for the word "Uttar Pradesh", the words "Uttar Pradesh and Himachal Pradesh" shall be substituted.

[No. 3 F. No. 6/3/60-Opium.]

**CUSTOMS**

**G.S.R. 88.**—In exercise of the powers conferred by sub-section (1) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. GSR-575(55/F. No. 34/86/60-Cus. IV), dated the 28th May, 1960, namely:—

*Amendment*

In the Schedule to the said notification, after entry at Serial Number 112, the following entry shall be added, namely:—

"113. Stearic Acid."

[No. 6/F. No. 34/240/60-Cus.IV.]

**CUSTOMS AND CENTRAL EXCISE**

**G.S.R. 89.**—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 22nd February, 1961.

2 Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

**DRAFT RULES**

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2 In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, after the existing item at Serial Number 77 and entries relating thereto the following shall be added, namely:—

'78. Stearic acid'

[No. 6/F. No. 34/240/60-Cus.IV.]

**G.S.R. 90.**—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 22nd February, 1961.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, for sub-item No. (G)(20) of Serial No. 4 and entries relating thereto the following shall be substituted, namely:—

"(20) Steel wire and plate nails all sorts      Fifty-six rupees and ten naye paise per metric ton".

[No. 8/F. No. 34/228/59-Cus.IV.]

M. C. DAS, Dy. Secy.

#### MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 10th January 1961*

**G.S.R. 91.**—The following amendments shall be made in the Ministry of Commerce and Industry Notification No. S.R.O. 765, dated the 1st March, 1954 as modified by the Ministry of Commerce and Consumer Industries Notification No. 42-SSI(B)(3)/54, dated the 24th April, 1957:—

For the words "Fifty Naye Paise per hundred weight"

Substitute the words "98 Naye Paise per quintal".

[No. 52-SSI(B)(10)/59.]

P. S. V. RAGHAVAN, Under Secy.

*New Delhi, the 13th January 1961*

**G.S.R. 92.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Forward Markets Commission Class I and Class II Recruitment Rules, 1958 issued with the notification of the Government of India in the Ministry of Commerce and Industry No. 4-E. I(4)/57, dated the 6th November, 1958, namely:—

1. These rules may be called the Forward Markets Commission Class I and Class II Recruitment Amendment Rules, 1961.
2. In the Schedule to the Forward Markets Commission (Class I and Class II) Recruitment Rules, 1958:
  - (i) against serial No. 1, under Column 11, for the existing entries under "Promotion", the following entries shall be substituted, namely:—
    - (1) Deputy Director,
    - (2) Inspecting Officers with 5 years' service in the grade."
  - (ii) against serial No. 3, under Column 11, for the existing entries under "Promotion", the following entries shall be substituted, namely:—
    - (1) Assistant Secretary,
    - (2) Enforcement Officer with 3 years' service in the grade.
    - (3) Research Officer with 5 years' service in the grade."

(iii) against serial No. 4, under Column 11, for the existing entries under "Promotion", the following entries shall be substituted, namely:—

"(1) Research Officer with 3 years' service in the grade.

(2) Superintendent with 3 years' service in the grade."

(iv) after item 4 and the entries relating thereto, the following item 4A and the entries relating thereto shall respectively be inserted namely:—

1	2	3	4	5	6
4A Enforcement Officer	1	General Central Service Class II Gazetted Non- Ministerial.	Rs. 590—30—800— EB—30—830—35 900.	Not applicable	*Below 40 years.

\*Age limit relaxable in the case of persons belonging to Scheduled Castes/Tribes, displaced persons and other special categories in accordance with the orders issued from time to time by the Government of India.

7	8	9	10	11	12	13
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**Essential :**

(i) Membership of the Institute of Chartered Accountants of India for a minimum period of 3 years.

(ii) Degree in Law of a recognised University.

(Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.)

**Desirable :**  
Familiarity with the working of the Forward Markets and of the financial and legal problems of Associations recognised under the Forward Contracts (Regulations) Act, 1952.

(v) against serial No. 7, under Column 11, for the existing entries, the following entries shall be substituted, namely:—

- "(1) Reporter.
- (2) Deputy Superintendent."

[No. 4-E.I(4)/57.]

V. C. NAIDU, Under Secy.

## (Department of Company Law Administration)

New Delhi, the 17th January 1961

## THE COMPANIES (APPEALS TO THE CENTRAL GOVERNMENT) RULES

**G.S.R. 93.**—In exercise of the powers conferred by sub-section (4A) of section 111 and clause (b) of sub-section (1) of section 642 of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules to amend the Companies (Appeals to the Central Government) Rules, 1957, published with the notification of the Ministry of Finance (Department of Company Law Administration) No. S.R.O. 1380, dated the 27th April, 1957, namely:—

1. These rules may be called the Companies (Appeals to the Central Government) Amendment Rules, 1961.

2. In the Companies (Appeals to the Central Government) Rules, 1957,—

(i) in rule 3, after the words "section 111 of the Act", the words "shall be by a petition in writing and" shall be inserted; and

(ii) after rule 4, the following rule shall be inserted, namely:—

"4A. (a) Every memorandum of appeal shall be accompanied by a fee as specified in the Table below:—

## TABLE

Fee to be paid

Where the nominal value of the shares involved in the transfer of transmission—

Does not exceed Rs. 250/-	Nil
Exceeds Rs. 250/- but does not exceed Rs. 500/-	Rs. 2/-
Exceeds Rs. 500/- but does not exceed Rs. 1,000/-	Rs. 5/-
Exceeds Rs. 1,000/- but does not exceed Rs. 2,500/-	Rs. 7.50 nP.
Exceeds Rs. 2,500/- but does not exceed Rs. 5,000/-	Rs. 10/-
Exceeds Rs. 5,000/- but does not exceed Rs. 10,000/-	Rs. 20/-
Exceeds Rs. 10,000/- but does not exceed Rs. 15,000/-	Rs. 30/-
Exceeds Rs. 15,000/- but does not exceed Rs. 20,000/-	Rs. 40/-
Exceeds Rs. 20,000/- but does not exceed Rs. 25,000/-	Rs. 45/-
Exceeds Rs. 25,000/-	Rs. 50/-

(b) The fee referred to in clause (a) shall be paid into a Government treasury for credit under the Head "XXXVI—Miscellaneous Departments—Miscellaneous" and the relevant treasury receipt or challan shall be attached to the memorandum of appeal."

[No. F. 5/2/61-PR.]

F. N. SANYAL, Under Secy.

## COLLECTORATE OF CUSTOMS &amp; CENTRAL EXCISE, COCHIN

Cochin, the 5th January, 1961

## CENTRAL EXCISES

**G.S.R. 94.**—In exercise of the powers conferred on me by the second proviso to Rules 15 and 16 of the Central Excise Rules, 1944, I hereby declare the tobacco growing areas specified in column 3 of the appended statement as Sparse Tobacco Growing Areas. The extent of tobacco cultivation within these specified sparse growing areas upto which individual growers need not furnish their declarations under Rule 15 of the Central Excise Rules, 1944 is indicated in column 4 and the limit

upto which individual curers in these specified sparse growing areas, need not furnish their declarations under rule 16 of the Central Excise Rules, 1944, is indicated in column 5 of the statement appended\*.

\*Statement showing the sparse Tobacco growing areas in the Cochin Customs & Central Excise Collectorate

Name of the Central Excise Division	Revenue jurisdiction of the Division	Areas (in terms of revenue jurisdiction) declared as sparse tobacco growing areas	Extent of tobacco cultivation in the areas specified in col. 3 upto which individual growers need not declare the cultivation as per 2nd proviso to Rule 15 of C. E. Rule, 1944	Limits upto which individual curers declare their produce as per proviso to Rule 16 of the Central Excise Rules, 1944
I	2	3	4	5

KERALA STATE

Kozhikode	Kozhikode, Cannanore and Palghat Districts.	The whole of Kozhikode, Cannanore and Palghat Districts, except Kasargode & Hosdurg taluks of Cannanore District.	Kozhikode } 2 and Palghat } Ares 16 Districts Cannanore } 2 34 District except Kasargode and Hosdurg } taluks.	
Trivandrum	Trivandrum, Alleppey, Trichur, Quilon and Kottayam Districts.	Trivandrum, Alleppey, Trichur, Quilon and Kottayam Districts.	2 Ares.	16 kilograms

[No. 17/3/60-CX(Pol.)]

Cochin, the 6th January 1961

CENTRAL EXCISES

G.S.R. 95.—In exercise of the powers conferred by Rule 5 of the Central Excise Rules, 1944, I hereby order that the following further amendments shall be made in this Collectorate Notification No. 1/Ex dated 1st May, 1960 as amended by the Notifications dated 16th June, 1960, 4th August, 1960 and 20th October, 1960.

"In column 4 of the table appended to the said Notification, against serial No. 2(10), for the figures and words '25 standard maunds', substitute the figures and words '9.3 quintals'".

[No. 17/3/60-CX(Pol.)]

A. K. BANDYOPADHYAY, Collector.

**MINISTRY OF TRANSPORT & COMMUNICATIONS**  
**(Department of Transport)**  
**(Transport Wing)**

**PORTS**

*New Delhi, the 16th January 1961*

**G.S.R. 96.**—The following draft of certain rules to further amend the Port of Kandla (Petroleum) Rules, 1955, published with the notification of the Government of India, Ministry of Transport (Transport Wing) No. SRO-702 dated the 22nd March, 1955, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is hereby published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 5th March 1961.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date above specified will be considered by the Central Government.

**DRAFT RULES**

1. These rules may be called the Port of Kandla (Petroleum) Amendment Rules, 1960.
2. In Part I of the Port of Kandla (Petroleum) Rules, 1955 (hereinafter referred to as the said Rules),
  - (1) in rule 2(c), for the expression "two hundred degrees of Fahrenheit's", the expression "93.3° centigrade" shall be substituted,
  - (2) in rule 2(e), for the expression "seventy six degrees of Fahrenheit's", the expression "24.4° centigrade" shall be substituted,
  - (3) in rule 2(f), for the expression "150° F" the expression "65.6° centigrade" shall be substituted,
  - (4) in rule 2(g), for the expression "500 gallons", the expression "2272.98 litres" shall be substituted,
  - (5) in rule 2(k), for the word "tons", the expression "metric tonnes of works, etc." shall be substituted,
  - (6) in rule 5, for the expression "150° F", the expression "65.6° centigrade" shall be substituted,
  - (7) in rule 8, for the expression "20 ft.", the expression "6.096 metres" shall be substituted,
  - (8) in rule 9(d), for the expression "150° F", the expression "65.6° centigrade" shall be substituted,
  - (9) in rule 13, for the expression "one hundred yards", the expression "91.440 metres" shall be substituted,
  - (10) in rule 16, for the expression "20 gallons", the expression "90.919 litres" shall be substituted,
  - (11) in rule 21, for the expression "forty gallons", the expression "181.838 litres" shall be substituted,
  - (12) in rule 24, for the expression, "150° F", the expression "65.6° centigrade" shall be substituted,
  - (13) in rule 27(b), for the expression, "12" pipe line", "2500 glns", "16" pipe line", "2200 glns", "800 gallons", and "700 gallons", the expressions, "305 m.m. pipe line", "11363.9 litres", "406 m.m. pipe line", "10000 litres", "3637 litres" and "3182 litres", shall respectively be substituted,
  - (14) in rule 30, for the expression "150° F", the expression "65.6° centigrade" shall be substituted.
3. In part II of the said Rules,
  - (1) in rule 6, for the expression "150° F", the expression "65.6° centigrade" shall be substituted,
  - (2) in rule 17, for the expressions "100 Yards" and "100 ft.", the expressions "91.440 metres" and "30.48 metres" shall respectively be substituted.

## 4. In part IV of the said Rules,

(1) in rule 7, for the expression "15 ft.", the expression "4·75 metres" shall be substituted,  
 (2) in rule 10, for the expression "100 ft.", the expression "90·48 metres" shall be substituted.

## 5. In part V of the said Rules,

(1) in rule 3, for the expressions "40 gallon", "2 gallon", "4 gallon" and "4 feet", the expressions "181·838 litres", "9·0919 litres", "18·1838 litres" and "1·2192 metres" shall respectively be substituted.  
 (2) in rule 4, for the expressions "40 gallon" and "a ton", the expressions "181·838 litres" and "a metric tonne of 1000 kilograms" shall respectively be substituted.  
 (3) in rule 8, for the expression "six inches", the expression "152 m.m." shall be substituted.  
 (4) in rule 11, for the expression "half a mile", the expression "804·6 metres" shall be substituted.

## 6. In the Appendices to the said rules.—

(1) in Appendix 'A', for the expression "150° Fahrenheit's", the expression "65·6° Centigrade" shall be substituted.  
 (2) (i) in Appendix "B", for the expressions "7 knots", "6'" and "80 lbs per square inch", the expressions, "12·97 kilometres", "152·4 m.m." and "5·6246 kilograms per c.m.", shall respectively be substituted.  
 (ii) The following note shall be inserted below Appendix "B", namely:—  
*"Note:—For the words 'tons' wherever appearing in Appendix 'B', the words 'metric tonne of 1000 kilograms' shall be substituted."*  
 (3) in Appendix "C", for the expression "7 feet", the expression "2·1336 metres" shall be substituted.  
 (4) in Appendix 'D', for the expressions "15 feet", "15 fathoms", "6'", "6 feet", "4 feet", "1'-9\"", "1'-2\"", and "3\"", the expressions "4·572 metres", "27·432 metres", "152·4 m.m.", "1·83 metres", "1·22 metres", "533·4 m.m.", "355·6 m.m." and "76·2 m.m.", shall respectively be substituted.

[No. F. 2-PG(43)/60.1]

M. V. NILAKANTA AYYAR, Under Secy.

## MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 11th January 1961

**G.S.R. 97.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to Class IV posts in Subordinate Offices of the Central Public Works Department, namely:—

**1. Short title.**—These rules may be called the Central Public Works Department (Subordinate Offices) Class IV posts Recruitment Rules, 1960.

**2. Application.**—These rules shall apply to recruitment to the posts specified in column 1 of the Schedule annexed hereto.

**3. Classification and Scale of pay.**—The classification of the posts and the scales of pay attached thereto shall be as specified in columns 2 and 3 of the said Schedule.

**4. Method of recruitment, age limit and other qualification.**—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 4 to 12 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to Scheduled Castes, Scheduled Tribes or displaced persons and other special categories in accordance with the general orders issued from time to time by the Government.

**5. Probation.**—The period of probation in respect of each post shall be as specified in column 10 of the said Schedule.

\*\*\*

**6. Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointments to the posts:

\*\*\*Provided that the Government may, if it is satisfied that there exist special grounds for doing so, exempt any such candidate from the operation of this rule.

**7. Power to relax.**—The Government may relax any provision of these rules in any case in which, but for such relaxation, the rules would operate harshly.

**8. Interpretation.**—If any doubt arises as to the meaning or application of these rules or any of them to any person, the matter shall be referred to the Government, whose decision thereon shall be final.

## SCHEDULE

Name of post	Its classification whether gazetted or non-gazetted and whether ministerial or non-ministerial	Scale of pay	Percentage of posts to be filled by			Age limit	For direct recruitment			Grades/Sources from which promotion/ transfer is to be made	
			Direct Recruitment	Promotion	Transfer		Education- al and other qualifi- cations required	Period of pro- bation, if any	Whether age and educa- tional qualifi- cations prescribed for direct recruitment will apply in case of appointment by promo- tion / transfer		
1	2	3	4	5	6	7	8	9	10	11	12
I. Daftry	General Central Service Class IV	Rs. 75—1—85 —EB—2—95	Nil	Nil	Cent Percent	Nil	Not applicable	Not applica- ble	6 months (For pro- motees as well)	Not applicable	All peons and Barkan- dazes who have passed the Middle School Examination will be eligible for promotion as Daftry. Peons appointed before the 16th November, 1951 and who are exempted from educational requirements are also eligible for promotion on passing a simple test in English.

1	2	3	4	5	6	7	8	9	10	11	12
2. Peon	General Central Service Class IV	Rs. 70—1—80 EB—1—85	Cent per cent through Employment Exchange	Nil	Nil	Where specifi- cally au- thorised by Government of India.	18—25	Middle School Exam. Relaxable in the following cases :—	6 months	Not appli- cable.	

3.	Chowkidar	Do.	Rs. 70—1—80 —EB—1—85	Cent percent through Employment Exchange	Nil	Nil	Where specifically authorised by Govern- ment of India	18—25	Nil	6 months	Not applicable.
4.	Khallasi (including ferro Khallasi)	Do.	Rs. 70—1—80 —EB—1—85	Do.	Nil	Nil	Do.	18—25	Nil	6 months	Not applicable.
5.	Forest Guard	Do.	Rs. 70—1—80 —EB—1—85	Do.	Nil	Nil	Do.	18—25	Nil	6 months	Not applicable.

[No. 56/3/60—E.W. II]  
P. K. Sen, Dy. Secy.

New Delhi, the 12th January 1961

**G.S.R. 98.**—In exercise of the powers conferred by Section 5 of the Indian Explosives Act, 1884 (4 of 1884), the Central Government hereby makes the following rules further to amend the Explosives Rules, 1940, the same having been previously published as required by section 18 of the said Act, namely:—

1. These Rules may be called the Explosives (Amendment) Rules, 1961.
2. In the Explosives Rules, 1940 (hereinafter called the said rules), in sub-rule (ii) of rule 73, for the figure and letters "5 lbs.", the figures and letters "2.5 kg." shall be substituted.
3. In the said rules, in Schedule II, in the table appended thereto:—
  - (i) in column 3 against Item No. 1, for the figure and letters "5 lbs." wherever they occur, the figures and letters "2.5 Kg." shall be substituted;
  - (ii) in columns 4 and 5 against Item No. 2, for the figures and letters '50-Lbs.', the figures and letters "25 kg." shall be substituted;
  - (iii) In columns 4 and 5 against Item No. 3, for the figures and letters "50 lbs." and "5 lbs.", the figures and letters "25 kg." and "2.5Kg." shall be substituted respectively.
4. In the said rules, in Schedule IV, in column 3 against Article No. 4, for the figures and letters "10 lbs.", the figure and letters "5 Kg." shall be substituted.
5. In the said rules, in Schedule V, in condition I of Form 'J' for the figures and letters "10 lbs.", the figures and letters "5 Kg." shall be substituted.

[No. S. & P. II-3(36)/60.]

**G.S.R. 99.**—The following draft of certain regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th March, 1961.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

#### *Draft Regulations*

1. These Regulations may be called the Indian Boilers (Amendment) Regulations, 1961.

2. In the Indian Boiler Regulations, 1950,

- (i) before regulation 147, the heading "Stay Tubes" shall be inserted;
- (ii) for the existing regulation 148, the following regulation shall be substituted, namely:—

"148. *Minimum thickness of stay tubes.*—Minimum thickness of stay tubes shall be such that the stress on the net cross-sectional area either at the bottom of the threaded part or at the middle of the tube whichever is the lesser shall not exceed 527 Kg./Cm.<sup>2</sup> (7,500 lbs. per sq. in.). Thickness of stay tubes at any part shall not be less than 4.8 mm. (3/16 in.)".

[No. S. & P. II/BL-9(19)/60.]

M. N. KALE, Secy.

#### **MINISTRY OF FOOD & AGRICULTURE** (Department of Agriculture)

New Delhi, the 13th January 1961

**G.S.R. 100.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the

Ministry of Food and Agriculture (Class I Technical Posts) Recruitment Rules, 1959, published with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. 11-5/58-Estt. I, dated the 1st August, 1959, namely:—

1. These rules may be called the Ministry of Food and Agriculture (Class I Technical Posts) Recruitment Amendment Rules, 1961.

2. In the Schedule to the Ministry of Food and Agriculture (Class I Technical Posts) Recruitment Rules, 1959, after item 2 and the entries relating thereto, the following item and entries shall be inserted, namely:—

*Recruitment Rules for the post of Deputy Director (Seeds) in the Ministry of Food & Agriculture (Department of Agriculture).*

Name of Post	No. of posts	Classification	Scale of pay	Whether selection post direct or non-selection post	Age limit for selection post	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of rectt. whether by direct rectt. or transfer & grades	In case of rectt. by promotion/ transfer, from which vacancies to be filled to be made	If a DPC exists what is its composition	Circumstances in which U.P.S.C. is to be consulted in making rectt.
1	2	3	4	5	6	7	8	9	10	11	12	13
3. Deputy Director (Seeds)	One	General Central Service Class I	Rs. 600— 40—1000— —1000— 1050— 1050— 1100— 1100— 1150.	Not applicable	Below 45 years (Relaxable for Government Servants)	<b>ESSENTIAL—</b> (i) Master's Degree in Botany or Master's degree with Agricultural Botany or Associateship of I. A. R. I. in Genetics and Plant Breeding. (ii) About 7 years' experience in work relating to plant breeding and genetics including experience of Seed Multiplication. Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.	Not applicable	Two years	By direct recruitment	Not applicable	Not applicable	As required under the rules.

[No. 114/59-Estt.I.]

I. D. KHANNA, Under Secy.

## ERRATUM

In Ministry of Food and Agriculture (Department of Food) notification No. 201 (ASM) (2)/477/60-Py-II dated 23rd December, 1960 published in G. of I. Part II-Sec. 3(i) dated 31st December, 1960 as GSR. No. 1560 on page 2126, for the Sub. heading "SCHEDULE I" read "SCHEDULE III"

**MINISTRY OF REHABILITATION**  
**(Office of the Chief Settlement Commissioner)**

New Delhi, the 16th January 1961

**G.S.R. 101/R. Amdt. LIII.**—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following rules further to amend the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

1. These rules may be called the Displaced Persons (Compensation and Rehabilitation) Second Amendment Rules, 1961.

2. In sub-rule (2) of rule 25 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, hereinafter referred to as the said rules—

- (i) in sub-clause (ii) of clause (b), the word "or" shall be omitted;
- (ii) clause (c) shall be omitted.

(Amendment No. LIII, dated 13-1-61).

3. In rule 63 of the said rules, the words "does not cultivate the allotted land personally or has sublet such land or" in the third proviso, and the explanation shall be omitted.

(Amendment No. LIII, dated 13-1-61).

4. In rule 64 of the said rules, in clause (c), the words "if he is cultivating such land personally" shall be omitted.

(Amendment No. LIII, dated 13-1-61).

5. After Chapter X of the said rules, the following Chapter shall be inserted, namely:—

"Chapter X-A

Adjustment by association of claims and making of transfer deeds.

**76-A. Adjustment of payment of price of properties or of public dues by association of claims.**—Notwithstanding anything contained in the foregoing Chapters, the Central Government may, by general or special order made in this behalf, allow, subject to such terms and conditions as may be specified in such order,—

(i) payment of price of properties forming part of the compensation pool or any part of such price; or

(ii) payment of any public dues, by adjustment against the net compensation payable in respect of the verified claim of any displaced person.

**76-B. Deed of transfer to be made out.**—Where any person in occupation of a property forming part of the compensation pool has associated with himself any other displaced person having a verified claim whose net compensation is to be adjusted against the purchase price in pursuance of rule 76-A, the transfer shall be made out jointly in the name of all such persons specifying the extent of interest of each in the property:

Provided that where every such displaced person who has so associated himself sends an intimation in writing to the Settlement Commissioner that the deed of transfer may be made out in the name of the person in occupation, the deed of transfer may be made out in the name of such person."

(Amendment No. LIII, dated 13-1-61).

[No. F. 15(27)Policy-I/60(Comp).]

I. N. CHIB, Dy. Secy.

## MINISTRY OF LABOUR &amp; EMPLOYMENT

New Delhi, the 11th January 1961

**G.S.R. 102.**—In pursuance of clause (b) of sub-rule (2) of rule 72 of the Mines Rules, 1955, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 547, dated the 4th May, 1960, published in the Gazette of India, dated the 14th May, 1960, namely:—

In the Table to the said notification, after item 8, the following items shall be inserted namely:

I	II
(9) Kerala and Madras Universities	Diploma in Social Service
(10) Agra, Andhra and Karnatak Universities	Master's degree in Social Work

[No. M-III 5(12)/60.]

New Delhi, the 12th January 1961

**G.S.R. 103.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to further amend the Office of the Chief Inspector of Mines Class III and Class IV Recruitment Rules, 1958, published with the Ministry of Labour and Employment Notification No. G.S.R. 1226, dated the 19th December, 1958, namely:—

1. These rules may be called the Office of the Chief Inspector of Mines Class III and Class IV Recruitment (Amendment) Rules, 1961.

2. In the Schedule to the said Rules, against item 7 in column 10, for the existing entry, the following entry shall be substituted, namely:—

“By promotion (87½ per cent by seniority subject to the rejection of the unfit and 12½ per cent by a competitive examination) from the posts of Lower Division Clerk, Store Keeper and Record Keeper”.

[No. 9/20/60-MI]

New Delhi, the 16th January 1961

**G.S.R. 104.**—In pursuance of clause (b) of sub-rule (2) of rule 72 of the Mines Rules, 1955, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. G.S.R. 547, dated the 4th May, 1960, published in the Gazette of India, dated the 14th May, 1960, namely:—

In the Table to the said notification, after item 10, the following item shall be inserted, namely:—

I	II
(II) Indian Institute of Technology, Kharagpur.	Diploma in Industrial Psychology and Industrial Relation.

[No. 5(1)61-MII.]

A. P. VEERA RAGHAVAN, Under Secy.

## RESERVE BANK OF INDIA

(Central Office)

(Department of Banking Operations)

(Bombay-1)

Bombay, the 12th January 1961

**G.S.R. 105.**—In exercise of the powers conferred by sub-section (1A) of section 42 of the Reserve Bank of India Act, 1934, the Reserve Bank of India hereby rescinds, with effect from January 13, 1961, its notification DBO. No. Sch. 9118/C. 110-60, dated November 11, 1960.

[DBO. No. Sch. 415/C. 110-61.]

C. S. DIVEKAR, Executive Director.